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**From:** Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]  
**Sent:** 4/30/2021 8:16:11 PM  
**To:** Ho, Yenhung [Ho.Yenhung@epa.gov]  
**Subject:** RE: EPA's Request for Confidential Business Information Substantiation

Hi Calvin,

Under 40 CFR 2.204(e) and the substantiation letter that was provided to IHS, the failure a business to timely submit comments to EPA is considered a waiver of the business's potential confidentiality claims. Therefore, there's nothing further that we need to do. We do, however, need to save the email from them confirming receipt of the notice so that we have proof that it was delivered.

Desean

Desean Garnett  
Attorney-Advisor  
U.S. EPA Region 9  
(415) 972-3046

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**From:** Ho, Yenhung <Ho.Yenhung@epa.gov>  
**Sent:** Friday, April 30, 2021 9:04 AM  
**To:** Garnett, Desean <Garnett.Desean@epa.gov>  
**Subject:** RE: EPA's Request for Confidential Business Information Substantiation

Desean,

Both EPA and CES didn't get an update from IHS regarding their response to our CBI substantiation.

A copy of our request for CBI substantiation to CES is attached. Please advise what we can do next.

Best,  
Calvin

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**From:** Garnett, Desean <Garnett.Desean@epa.gov>  
**Sent:** Thursday, April 29, 2021 5:27 PM  
**To:** Ho, Yenhung <Ho.Yenhung@epa.gov>  
**Subject:** RE: EPA's Request for Confidential Business Information Substantiation

Calvin,

Any update on this CBI substantiation? I plan to send the Seismic Exchange Inc. CBI substantiation letter to Ivan for his review early Friday morning.

Desean

Desean Garnett  
Attorney-Advisor  
U.S. EPA Region 9  
(415) 972-3046

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**From:** Ho, Yenhung <[Ho.Yenhung@epa.gov](mailto:Ho.Yenhung@epa.gov)>  
**Sent:** Wednesday, February 17, 2021 10:54 AM  
**To:** Garnett, Desean <[Garnett.Desean@epa.gov](mailto:Garnett.Desean@epa.gov)>  
**Subject:** FW: EPA's Request for Confidential Business Information Substantiation

FYI – we issued this letter to IHS on 8/31/20 and received their confirmation of receipt on the same day. However, we have not received a response from IHS as of today. CES, the permit applicant is checking with them on the response status.

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**From:** Ho, Yenhung  
**Sent:** Monday, August 31, 2020 8:59 AM  
**To:** Travis Hagler <[Travis.Hagler@ihsmarkit.com](mailto:Travis.Hagler@ihsmarkit.com)>  
**Cc:** Rebecca Hollis <[rhollis@cleanenergysystems.com](mailto:rhollis@cleanenergysystems.com)>; Pierce, Jennifer <[pierce.jennifer@epa.gov](mailto:pierce.jennifer@epa.gov)>; Natalie Nowiski <[NNowiski@slb.com](mailto:NNowiski@slb.com)>; Albright, David <[Albright.David@epa.gov](mailto:Albright.David@epa.gov)>  
**Subject:** EPA's Request for Confidential Business Information Substantiation

Dear Mr. Hagler:

Attached is a request for confidential business information substantiation regarding the seismic data from IHS that was used in Clean Energy Systems' Underground Injection Control Class VI Pre-construction permit application.

Please confirm receipt of this request and let us know if you have questions about the request.

Sincerely,

Calvin Ho  
Groundwater Protection Section  
Water Division (WTR-4-2)  
U.S. EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
415-972-3262